## **Kluwer Patent Blog**

## Fentanyl-TTS, Federal Court of Justice (Bundesgerichtshof), 18 november 2010

Jochen Buehling (Krieger Mes Graf & v. der Groeben) · Thursday, February 3rd, 2011

The Court addresses the issue of potential contradictions between features in the generic part and in the characterizing part of a patent claim and the impact on claim construction. Such contradictions may not be resolved by leaving out the features of the generic part when the claim allows for a claim construction which is free of contradictions.

The publication of a material can disclose all the properties of the material even if the skilled person was not aware of these properties. If this material covers all claimed features it can impair novelty. A scientific reasoning as to why the use of this material might achieve the goal according to the patent is not required.

Click here for the full text of this case.

A full summary of this case has been published on Kluwer IP Law.

To make sure you do not miss out on regular updates from the Kluwer Patent Blog, please subscribe here.

## Kluwer IP Law

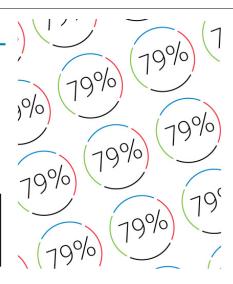
The **2022 Future Ready Lawyer survey** showed that 79% of lawyers think that the importance of legal technology will increase for next year. With Kluwer IP Law you can navigate the increasingly global practice of IP law with specialized, local and cross-border information and tools from every preferred location. Are you, as an IP professional, ready for the future?

Learn how Kluwer IP Law can support you.

79% of the lawyers think that the importance of legal technology will increase for next year.

Drive change with Kluwer IP Law.

The master resource for Intellectual Property rights and registration.



The Wolters Kluwer Future Ready Lawyer

Leading change

👀 Wolters Kluwer

This entry was posted on Thursday, February 3rd, 2011 at 3:55 pm and is filed under Germany, Novelty

You can follow any responses to this entry through the Comments (RSS) feed. Both comments and pings are currently closed.